

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

LUIS CABRERA
a/k/a Luis Alcantara
a/k/a Luis Cabreia
a/k/a Hector Rivera
a/k/a Hector Rivers

CRIMINAL

VIOLATIONS:

18 U.S.C. § 1344 (Bank Fraud)
18 U.S.C. § 1343 (Wire Fraud)
18 U.S.C. § 1341 (Mail Fraud)
18 U.S.C. § 1028(a)(3) (Identity Fraud)

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

1. During the time period from February 2002 through December 2003, in the District of Massachusetts and elsewhere,

LUIS CABRERA
a/k/a Luis Alcantara
a/k/a Luis Cabreia
a/k/a Hector Rivera
a/k/a Hector Rivers

defendant herein, working with others not known to the Grand Jury, engaged in a scheme and artifice to defraud and obtain money or property by means of false pretenses from financial institutions, banks and other individuals and entities by using stolen social security numbers and forged identification documents to obtain credit to purchase or lease automobiles and to obtain credit cards, mobile telephones, and other things of value.

2. At all times relevant to this indictment, CABRERA and others not known to the grand jury obtained the identification information of other individuals, including these other

individuals' names, addresses, dates of birth, and social security numbers.

3. CABRERA and others not known to the Grand Jury used the stolen identification information to purchase or lease automobiles. In some instances, CABRERA, who was employed as a car salesman for some of the time period relevant to the indictment, completed the necessary forms himself, inserting the false identification information to obtain the required credit. In other instances, CABRERA used the stolen identification information to purchase or lease the automobiles by posing as a legitimate customer, in the manner detailed below in paragraphs 4 and 5.

4. CABRERA and others not known to the Grand Jury used the information to obtain fraudulent or forged New York State driver's licenses, containing accurate information about the individuals whose identifying information had been acquired, but with CABRERA's photograph or the photograph one of the other individuals working with CABRERA in place of the photograph of the person whose personal information is reflected on the driver's license.

5. CABRERA and others not known to the Grand Jury, used these fraudulent or forged New York State driver's licenses to pose as the persons whose identity information was contained on the licenses and pretend that those persons wanted to purchase or lease automobiles on credit. CABRERA and others not known to the Grand Jury then used the information to apply for credit in the name of the persons whose identifying information was stolen, and used the credit to borrow money from financial institutions and banks to pay for the vehicles.

6. CABRERA and others not known to the Grand Jury used the fraudulently purchased or leased automobiles for themselves, sold them to others, or transported them outside the United States.

7. As a result of the above described scheme, CABRERA and others not known to

the Grand Jury, received in excess of 25 vehicles, and qualified for loans or other credit in excess of one million dollars (\$1,000,000.00).

8. In addition to using the stolen identification information to apply for car loans, CABRERA and others not known to the Grand Jury, applied for and received credit cards and mobile telephone accounts in the names of the individuals whose identify information had been stolen, and used the credit cards and mobile telephone accounts to purchase goods and services without having to pay for the purchased goods or services.

COUNTS ONE THROUGH SEVEN: (18 U.S.C. § 1344 – Bank Fraud)

The Grand Jury further charges that:

9. Paragraphs 1-8 are incorporated by reference as though fully set forth herein.

10. On or about the dates set forth below, in the District of Massachusetts and elsewhere,

**LUIS CABRERA
a/k/a Luis Alcantara
a/k/a Luis Cabreia
a/k/a Hector Rivera
a/k/a Hector Rivers**

defendant herein, working with others not known to the Grand Jury, engaged in a scheme and artifice to defraud and obtain money or property by means of false pretenses as described in the preceding paragraphs from the federally insured financial institutions operating in interstate commerce described below on the dates set forth below:

<u>COUNT</u>	<u>DATE</u> (on or about)	<u>NAME OF FINANCIAL INSTITUTION OR BANK</u>
One	May 29, 2003	Chase Manhattan Bank, USA, NA
Two	June 19, 2003	Banknorth, NA
Three	July 8, 2003	Chase Manhattan Bank, USA, NA
Four	July 17, 2003	Citizens Bank
Five	October 17, 2003	Chase Manhattan Bank, USA, NA
Six	October 26, 2003	Chase Manhattan Bank, USA, NA
Seven	December 1, 2003	Brookline Bank

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNTS EIGHT THROUGH THIRTEEN: (18 U.S.C. § 1343 – Wire Fraud)

The Grand Jury further charges that:

11. Paragraphs 1-8 are incorporated by reference as though fully set forth herein.
12. On or about the dates set forth below, in the District of Massachusetts and elsewhere,

**LUIS CABRERA
a/k/a Luis Alcantara
a/k/a Luis Cabreia
a/k/a Hector Rivera
a/k/a Hector Rivers**

defendant herein, working with others not known to the Grand Jury, having devised the above-described scheme and artifice to defraud and obtain money or property by means of false pretenses, for the purpose of executing and in order to effect the scheme and artifice to defraud and obtain money or property, did knowingly cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, as follows:

<u>COUNT</u>	<u>DATE</u> (on or about)	<u>MATTER WIRED</u>
Eight	February 13, 2002	A request for credit for the purchase or lease of an automobile purportedly from Quirk Imports Massachusetts to Mitsubishi Motors Credit in California
Nine	April 8, 2002	A request for credit for the purchase or lease of an automobile from Quirk Imports in Massachusetts to Mitsubishi Motors Credit in California
Ten	March 5, 2003	A request for credit for the purchase or lease of an automobile from BMW Gallery in Massachusetts to Charter One Financial in New York

Eleven	May 29, 2003	A request for credit for the purchase or lease of an automobile purportedly from Peabody Motor Sports in Massachusetts to Financial Services Vehicle Trust in Ohio
Twelve	June 30, 2003	A request for credit for the purchase or lease of an automobile from Westminster Dodge in Massachusetts to DaimlerChrysler LLC in Texas
Thirteen	October 6, 2003	A request for credit for the purchase or lease of an automobile from Bernardi Volkswagen in Massachusetts to VW Credit Inc. in Illinois

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNTS FOURTEEN THROUGH SEVENTEEN: (18 U.S.C. § 1341 – Mail Fraud)

The Grand Jury further charges that:

13. Paragraphs 1-8 are incorporated by reference as though fully set forth herein.
14. On or about the dates set forth below, in the District of Massachusetts and elsewhere,

**LUIS CABRERA
a/k/a Luis Alcantara
a/k/a Luis Cabreia
a/k/a Hector Rivera
a/k/a Hector Rivers**

defendant herein, working with others not known to the Grand Jury, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing and attempting to do so, did cause persons to place in post offices and authorized depositories for mail matter, matters and things to be sent and delivered by the United States Postal Service or by private or commercial carrier, and caused to be deposited matters and things to be sent or delivered by the United States Postal Service or by a private or commercial interstate carrier, and took and received therefrom such matters and things, and knowingly caused to be delivered by the United States Postal Service mail or by private or commercial carrier according to the directions thereon, such matters and things, as follows:

<u>COUNT</u>	<u>DATE</u> (on or about)	<u>MATTER MAILED</u>
Fourteen	February 15, 2003	A Filene's Store Credit Card
Fifteen	July 14, 2003	A Filene's Store Credit Card
Sixteen	October 28, 2003	A Visa Check Card
Seventeen	April 23, 2003	A Nextel Telephone Bill

COUNT EIGHTEEN: (18 U.S.C. § 1028(a)(3) – Identification Document Fraud)

The Grand Jury further charges that:

17. Paragraphs 1-8 are incorporated by reference as though fully set forth herein.

18. On or about February 2003 through October 2004 in the District of

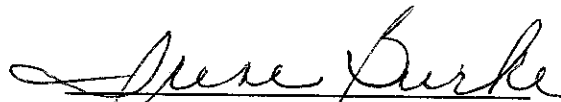
Massachusetts

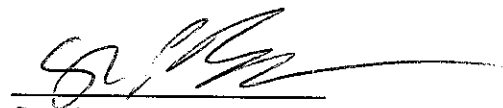
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defendant herein, working with others not known to the Grand Jury, did knowingly possess in and affecting interstate and foreign commerce, with intent to use unlawfully five or more false identification documents, to wit New York State driver's licenses with photographs of the defendant or others working with the defendant but with the identifying information of other individuals.

All in violation of Title 18, United States Code, Sections 1028(a)(3) and 2.

A TRUE BILL


FOREPERSON OF GRAND JURY


Seth P. Berman
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS, Boston, May 19, 2004. @ 2:00PM

Returned into the District Court by the Grand Jurors and filed.


Deputy Clerk